IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 617 of 1985

For Approval and Signature:

HON'BLE MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

MOCHI CHANDUBHAI MANILAL

Versus

PATEL SOMABHAI BECHARBHAI KAPADIYA [DECEASED THRO HEIRS]

Appearance:

1. Civil Revision Application No. 617 of 1985

MR KB PUJARA for Petitioner No. 1

MR RC JANI for Respondent No. 1

RULE UNSERVED for Respondent No. 1/1,1/3

RULE NOT RECD BACK for Respondent No. 1/2

CORAM : HON'BLE MR.JUSTICE P.B.MAJMUDAR

Date of decision: 22/01/2004

ORAL JUDGEMENT

The learned counsel for the petitioner, Mr K.B.

Pujara, states that the petitioner - original defendant of the suit has decided to purchase the suit property from the respondent - original owner and agreement to sell is executed between the parties. He further states that the decree for possession has become infructuous as even the respondent - original owner is willing to sell the land to the present petitioner. He states that because of the pendency of the present proceedings the parties have not executed the sale deed and therefore the petitioner wants to withdraw this civil revision application in order to see that the sale deed is executed between the parties.

Since the parties have settled and since the respondent has agreed to sell the property, permission to withdraw this revision application is granted. Revision is accordingly disposed of. Rule is discharged. Liberty to apply in case of difficulty.

(P.B. Majmudar, J.)
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